



United States Department of the Interior

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

In Reply Refer To:
Mail Stop VAE-BSEE-FOIA

April 4, 2019

Sent via Electronic Mail foia@americanoversight.org

Mr. Austin R. Evers
Executive Director,
American Oversight
1030 15th Street, N.W., Suite B255
Washington, D.C. 20005

Dear Mr. Evers:

The Bureau of Safety and Environmental Enforcement (BSEE) FOIA office received your Freedom of Information Act (FOIA) request dated February 13, 2019, and assigned it control number **BSEE-2019-00087**. Please cite this number in any future communications with our office regarding your request. You requested the following:

All communications (including emails, email attachments, calendar invitations or entries, and text messages) in the custody of Scott Angelle, Director, BSEE, including any of the following terms from January 20, 2017, to the date the search is conducted.:

- “great again”
- MAGA*
- #MAGA
- “drain the swamp”
- #draintheswamp
- “build the wall”
- “build that wall”
- #buildthewall
- #buildthatwall
- “promises made”
- “promises kept”
- #promiseskept
- Trump2020
- #trump2020
- “Trump Train”
- #trumptrain
- “Keep America Great”

- #keepamericagreat
- “lock her up”
- #lockherup
- “lock them up”
- #lockthemup
- #GOP

We are writing today to respond to your request on behalf of the BSEE. We have enclosed one file consisting of 60 pages. Approximately 8 pages are partially withheld under 5 U.S.C. § 552(b)(5) and 5 U.S.C. § 552(b)(6).

Exemption 5—43 C.F.R. §§ 2.23, .24

Exemption 5 allows an agency to withhold “inter-agency or intra-agency memorandums or letters which would not be available by law to a party... in litigation with the agency.” [5 U.S.C. § 552\(b\)\(5\)](#). Exemption 5 therefore incorporates the privileges that protect materials from discovery in litigation, including the deliberative process, attorney work-product, attorney-client, and commercial information privileges. We are withholding 7 pages in part under Exemption 5 because they qualify to be withheld under the following privileges:

Deliberative Process Privilege

The deliberative process privilege protects the decision-making process of government agencies and encourages the frank exchange of ideas on legal or policy matters by ensuring agencies are not forced to operate in a fish bowl. A number of policy purposes have been attributed to the deliberative process privilege. Among the most important are to: (1) assure that subordinates will feel free to provide the decisionmaker with their uninhibited opinions and recommendations; (2) protect against premature disclosure of proposed policies; and (3) protect against confusing the issues and misleading the public. .

The deliberative process privilege protects materials that are both predecisional and deliberative. The privilege covers records that reflect the give-and-take of the consultative process” and may include “recommendations, draft documents, proposals, suggestions, and other subjective documents which reflect the personal opinions of the writer rather than the policy of the agency.

The materials that have been withheld under the deliberative process privilege of Exemption 5 are both predecisional and deliberative. They do not contain or represent formal or informal agency policies or decisions. They are the result of frank and open discussions among employees of the Department of the Interior. Their contents have been held confidential by all parties and public dissemination of this information would have a chilling effect on the agency’s deliberative processes; expose the agency’s decision-making process in such a way as to discourage candid discussion within the agency, and thereby undermine its ability to perform its mandated functions.

The deliberative process privilege does not apply to records created 25 years or more before the date on which the records were requested.

Attorney-Client Privilege

The attorney-client privilege protects confidential communications between an attorney and his client relating to a legal matter for which the client has sought professional advice and is not limited to the context of litigation. Moreover, although it fundamentally applies to confidential facts divulged by a client to his/her attorney, this privilege also encompasses any opinions given by an attorney to his/her client based upon, and thus reflecting, those facts, as well as communications between attorneys that reflect confidential client-supplied information.

The information that has been withheld under the attorney-client privilege of Exemption 5 constitutes confidential communications between agency attorneys and agency clients related to legal matters for which the client sought professional legal assistance and services. It also encompasses opinions given by attorneys to their clients based on client-supplied facts. Additionally, the BSEE employees who communicated with the attorneys regarding this information were clients of the attorneys at the time the information was generated and the attorneys were acting in their capacities as lawyers at the time they communicated legal advice. Finally, the BSEE has held this information confidential and has not waived the attorney-client privilege.

Commercial Information Privilege

The BSEE has determined that the numbers and pass codes constitute intra-agency documents because they are only shared with members of the Department or their consultants for the purpose of conducting official government business. In addition to qualifying as intra-agency documents, the BSEE has determined that the pass codes and phone numbers qualify as “confidential commercial information” protectable by Exemption 5. In *Government Land Bank v. General Services Administration*, 671 F.2d 663, 665 (1st Cir. 1982), the court held that when the government enters the marketplace as an ordinary commercial buyer or seller, the government’s information should be protected from competitive disadvantage under Exemption 5. Exemption 5 prevails “where the document contains ‘sensitive information not otherwise available,’ and disclosure would significantly harm the government’s commercial interest.” *Id.* at 666; see also *Federal Open Market Committee v. Merrill*, 443 U.S. 340, 363 (1979).

Here, the government entered the marketplace as an ordinary commercial buyer of private conference call numbers and pass codes. In line with *Land Bank* and *Merrill*, the information is “sensitive and not otherwise available” as the numbers provide access to sensitive conversations between government employees and only the government and seller have access to the information. If the conference call numbers and/or pass codes were released, the government’s financial interest would be significantly harmed. The conference calls would no longer be private since unknown, non-governmental parties would have the ability to listen in to the calls. The funds spent on purchasing the call-in numbers and pass codes would therefore be wasted, and the conference call numbers and pass codes would be of no use.

Because the release of the conference call numbers and pass codes would significantly harm the government’s financial interest by publicizing sensitive information, the BSEE is withholding the information in accordance with Exemption 5 of the FOIA.

The deliberative process privilege does not apply to records created 25 years or more before the date on which the records were requested.

Exemption 6—[43 C.F.R. §§ 2.23, .24](#)

Exemption 6 allows an agency to withhold “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” [5 U.S.C. § 552\(b\)\(6\)](#). The phrase “similar files” covers any agency records containing information about a particular individual that can be identified as applying to that individual. To determine whether releasing records containing information about a particular individual would constitute a clearly unwarranted invasion of personal privacy, we are required to balance the privacy interest that would be affected by disclosure against any public interest in the information. We are withholding 2 pages in part under Exemption 6.

Under the FOIA, the only relevant public interest to consider under the exemption is the extent to which the information sought would shed light on an agency’s performance of its statutory duties or otherwise let citizens ‘know what their government is up to. The burden is on the requester to establish that disclosure would serve the public interest. When the privacy interest at stake and the public interest in disclosure have been determined, the two competing interests must be weighed against one another to determine which is the greater result of disclosure: the harm to personal privacy or the benefit to the public. The purposes for which the request for information is made do not impact this balancing test, as a release of information requested under the FOIA constitutes a release to the general public.

The information that has been withheld under Exemption 6 consists of personal information, such as personal cell phone numbers, personal email addresses and medical information, and we have determined that the individuals to whom this information pertains have a substantial privacy interest in withholding it. Additionally, we have determined that the disclosure of this information would shed little or no light on the performance of the agency’s statutory duties. Because the harm to personal privacy is greater than whatever public interest may be served by disclosure, release of the information would constitute a clearly unwarranted invasion of the privacy of these individuals and we are withholding it under Exemption 6.

Mr. Gurney S. Small, Attorney-Advisor, Office of the Solicitor, Department of the Interior, Washington, D.C. was consulted.

Appeal Rights—[43 C.F.R. §§ 2.57, .58, .59](#)

You may appeal this response to the Department’s FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal soon as possible after this letter. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe the

BSEE's response is in error. You must also include with your appeal copies of all correspondence between you and BSEE concerning your FOIA request, including your original FOIA request and BSEE's response. Failure to include with your appeal all correspondence between you and BSEE will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information

Department of the Interior
Office of the Solicitor
1849 C Street, N.W.
MS-6556 MIB
Washington, DC 20240

Attn: FOIA/Privacy Act Appeals Office

Telephone: (202) 208-5339
Fax: (202) 208-6677
Email: FOIA.Appeals@sol.doi.gov

Conclusion

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. *See 5 U.S.C. 552(c)*. This response is limited to those records that are subject to the requirements of FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

You also may seek dispute resolution services from our FOIA Public Liaison, the undersigned, using the contact information provided below.

This concludes BSEE's response to your request. If you have any questions about our response to your request, you may contact me by phone at (703) 787-1204, by fax at (703) 787-1207, by email at bseefoia@bsee.gov, or by mail at Bureau of Safety and Environmental Enforcement, FOIA Office, Mail Stop: VAE-BSEE FOIA, 45600 Woodland Road, Sterling, Virginia 20166.

Sincerely,

/s/ Ashley Rychak

Ashley Rychak
Government Information Specialist (FOIA)
BSEE FOIA Office

Enclosure:
As stated

Conversation Contents

Change Management Action Plan

Attachments:

/116. Change Management Action Plan/2.1 Letter to BSEE Director.docx
/116. Change Management Action Plan/4.1 Letter to BSEE Director.docx

(b) (6)

From: (b) (6) >
Sent: Tue Jun 13 2017 09:57:42 GMT-0600 (MDT)
To: <karla.marshall@bsee.gov>
CC: <scott.angelle@bsee.gov>
Subject: Change Management Action Plan

Hi Karla. I wanted to send this Change Management Action Plan anonymously because our new Director needs to hear it and I need to avoid the potential retaliation from those that I named. I had to revise the form because it is not suited for this purpose. Please see the attachment. Drain The Swamp, Paladin

(b) (6)

From: (b) (6)
Sent: Tue Jun 13 2017 10:10:54 GMT-0600 (MDT)
To: <karla.marshall@bsee.gov>
CC: <scott.angelle@bsee.gov>
Subject: [Fwd: Change Management Action Plan]
Attachments: Letter to BSEE Director.docx

Sorry, it doesn't appear that I sent the attachment. ----- Original Message -----
----- Subject: Change Management Action Plan From: (b) (6) Date:
Tue, June 13, 2017 17:57 To: karla.marshall@bsee.gov Cc: scott.angelle@bsee.gov -----
----- Hi Karla. I wanted to send this Change Management Action Plan anonymously because our new Director needs to hear it and I need to avoid the potential retaliation from those that I named. I had to revise the form because it is not suited for this purpose. Please see the attachment. Drain The Swamp, Paladin

"Marshall, Karla" <karla.marshall@bsee.gov>

From: "Marshall, Karla" <karla.marshall@bsee.gov>
Sent: Tue Jun 13 2017 10:13:31 GMT-0600 (MDT)
To: paladin@countermail.com

CC: Scott Angelle <scott.angelle@bsee.gov>
Subject: Re: [Fwd: Change Management Action Plan]

Got it and thank you!

Karla

On Tue, Jun 13, 2017 at 11:10 AM, <paladin@countermail.com> wrote:

Sorry, it doesn't appear that I sent the attachment.

----- Original Message -----

Subject: Change Management Action Plan
From: paladin@countermail.com
Date: Tue, June 13, 2017 17:57
To: karla.marshall@bsee.gov
Cc: scott.angelle@bsee.gov

Hi Karla. I wanted to send this Change Management Action Plan anonymously because our new Director needs to hear it and I need to avoid the potential retaliation from those that I named. I had to revise the form because it is not suited for this purpose. Please see the attachment.

Drain The Swamp,

Paladin

--
Karla Marshall
Public Affairs Officer
Bureau of Safety and Environmental Enforcement
Gulf of Mexico Region
(504) 736-2595 - office
(504) 400-7863 - cell

<http://www.bsee.gov/> | <https://www.linkedin.com/company/bureau-of-safety-and-environmental-enforcement>
| <https://twitter.com/BSEEGov> | <https://www.facebook.com/BSEEGov/>

"Angelle, Scott" <scott.angelle@bsee.gov>

From: "Angelle, Scott" <scott.angelle@bsee.gov>
Sent: Fri Jun 16 2017 13:24:36 GMT-0600 (MDT)
To: Tiffany Gray <tiffany.gray@bsee.gov>
CC: "Angelico, Eileen" <eileen.angelico@bsee.gov>
Subject: Fwd: [Fwd: Change Management Action Plan]
Attachments: Letter to BSEE Director.docx

Scott A. Angelle
Director, BSEE
scott.angelle@bsee.gov
202-208-3500

Department of the Interior, MIB 5412

----- Forwarded message -----

From: <paladin@countermail.com>
Date: Tue, Jun 13, 2017 at 12:10 PM
Subject: [Fwd: Change Management Action Plan]
To: karla_marshall@bsee.gov
Cc: scott_angelle@bsee.gov

Sorry, it doesn't appear that I sent the attachment.

----- Original Message -----

Subject: Change Management Action Plan
From: paladin@countermail.com
Date: Tue, June 13, 2017 17:57
To: karla_marshall@bsee.gov
Cc: scott_angelle@bsee.gov

Hi Karla. I wanted to send this Change Management Action Plan anonymously because our new Director needs to hear it and I need to avoid the potential retaliation from those that I named. I had to revise the form because it is not suited for this purpose. Please see the attachment.

Drain The Swamp,

Paladin

Change Management Action Plan

1. Review Friendships, industry insiders, and cronies hired under the former administration and evaluate their true competencies and allegiances. This should start with the (b) (6) who easily and skillfully manipulates the hiring processes so that (b) (6) can hire anyone (b) (6) wants and place them in any position (b) (6) wants. (b) (6) teaches (b) (6) friends to do the same.

Background

(b) (6) was personal friends with and a coworker with (b) (6) (b) (6). When (b) (6) was hired by BSEE, (b) (6) used (b) (6) position as (b) (6) to bring (b) (6) over from (b) (6) to oversee the congressionally unauthorized (b) (6) (b) (6). When the detail expired, (b) (6) manipulated the system with Director of DOI's (b) (6) and (b) (6) hired (b) (6) directly into a position in (b) (6) office. (b) (6) then kept (b) (6) same detail with BSEE. Subsequently (b) (6) placed (b) (6) into the position as (b) (6). This can all be verified by (b) (6) statements in a DOI Inspector General Report, Case Number OI-PI-15-0053-I, Interview Date: October 30, 2014, pages 2 and 3.

The problem is that (b) (6) and (b) (6) friend (b) (6) have made a mockery out of (b) (6) (b) (6) because (b) (6) and others who have been placed into their high level management positions know nothing about (b) (6). Their backgrounds in drug enforcement, law enforcement and the EPA do not give former (b) (6) personnel the qualifications to be competent investigators with this agency. The quality of our panel investigation reports published on BSEE's public website has suffered because of this incompetence.

Furthermore, in an attempt to dissolve the former IRU, new positions had to be created for them. In this effort, (b) (6) doctored the requirements for the Chief Investigator in the New Orleans Region and illegally groomed one of (b) (6) law enforcement subordinates for the position. Two separate complaints of prohibited personnel practices in the hiring process were rejected by the incompetent Office of Special Counsel (OSC). This is the same OSC that allowed the corruption at the Department of Veterans Affairs.

In the *Report to the President- National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling* the Commission had strong concern for the American Petroleum Institute's ability to foster and promote offshore safety. It reads:

According to statements made by industry officials to the Commission, API's proffered

safety and technical standards were a major casualty of this conflicted role. As described by one representative, API-proposed safety standards have increasingly failed to reflect “best industry practices” and have instead expressed the “lowest common denominator”—in other words, a standard that almost all operators could readily achieve. Because, moreover, the Interior Department has in turn relied on API in developing its own regulatory safety standards, API’s shortfalls have undermined the entire federal regulatory system (Report to the President, p.225).

The API has cultivated and developed an unhealthy influence over BSEE because of BSEE’s corrupt hiring practices.

After the Macondo disaster, BSEE implemented new regulations requiring companies to implement safety and environmental management systems (SEMS). At the same time, the API stacked the highest positions at BSEE with its own personnel who have worked tirelessly to undermine efforts to enforce the new SEMS regulations.

After many years of working as an attorney for the (b) (6) was hired as BSEE’s (b) (6). This position oversees the new SEMS regulations. In turn, (b) (6) hired another (b) (6), and put (b) (6) in charge of BSEE’s Regulatory Development Office. (b) (6) also hired a friend of (b) (6), and put (b) (6) in charge of the BSEE’s Offshore Improvement Branch.

(b) (6) in turn hired a friend and former coworker of (b) (6), and manipulated (b) (6) into the position of BSEE’s SEMS Chief. (b) (6) was also in the process of hiring another friend of (b) (6), when the hiring freeze occurred despite the fact that OPM told (b) (6) that (b) (6) was not the most qualified for the job.

These are all positions that should be filled by offshore occupational safety and health professionals but instead are filled by unqualified cronies who collectively serve as API assets working to undermine SEMS regulatory efforts by true professionals working in the Regions and Districts.

Recommendations

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Conversation Contents

RE: US GoM Diving Safety Work Group

"Gilbert, David /C" <david.gilbert@exxonmobil.com>

From: "Gilbert, David /C" <david.gilbert@exxonmobil.com>
Sent: Wed Jun 21 2017 15:35:55 GMT-0600 (MDT)
To: "Lillie, Thomas" <thomas.lillie@bsee.gov>, "scott.angelle@bsee.gov"
<scott.angelle@bsee.gov>, "Scott A. Angelle - Bureau of Safety and Environmental
Enforcement (officeofthedirector@bsee.gov)" <officeofthedirector@bsee.gov>
CC: "DGilbert (dgilbert@teche.net)" <dgilbert@teche.net>, Eileen Angelico
<eileen.angelico@bsee.gov>
Subject: RE: US GoM Diving Safety Work Group

Hello Tom

I am working on the Agenda for the DSWG meeting in Lafayette for July 19th
I am wondering if you have made any consideration for Director Angelle to possibly attend?
I know that he is extremely busy and that date is still a month away, but I was just checking

Thanks,
David R. Gilbert

E: david.gilbert@exxonmobil.com
E2: dgilbert@teche.net
O: (832) 624-4414
C: (985) 372-1134

ExxonMobil USP - Construction Group
Diving / Subsea Construction Advisor

22777 Springwood Village Parkway
Spring, TX 77389
EMHC-W4.3A.333

Have a Great SAFE Day !!

From: Gilbert, David /C
Sent: Monday, June 12, 2017 8:47 AM
To: 'Lillie, Thomas' <thomas.lillie@bsee.gov>; Scott A. Angelle - Bureau of Safety and Environmental Enforcement (officeofthedirector@bsee.gov)
<officeofthedirector@bsee.gov>
Cc: DGilbert (dgilbert@teche.net) <dgilbert@teche.net>; Eileen Angelico <eileen.angelico@bsee.gov>
Subject: US GoM Diving Safety Work Group

I put together a short presentation about the DSWG for Director Angelle to understand more about our history, membership, industry involvement and challenges – to really better understand the audience

I hope you will find it informative -

Thanks,
David R. Gilbert

E: david.gilbert@exxonmobil.com
E2: dgilbert@teche.net
O: (832) 624-4414
C: (985) 372-1134

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Spring, TX 77389
EMHC-W4.3A.333

Have a Great SAFE Day !!

From: Lillie, Thomas [<mailto:thomas.lillie@bsee.gov>]
Sent: Friday, June 09, 2017 11:14 AM
To: Gilbert, David /C <david.gilbert@exxonmobil.com>
Cc: DGilbert (dgilbert@teche.net) <dgilbert@teche.net>; Eileen Angelico <eileen.angelico@bsee.gov>
Subject: Re: US GoM Diving Safety Work Group

We have no preference for media at this type of event, but we appreciate having advance notice of any media presence to make sure Scott is aware that. Please keep that in mind. Thanks, Tom

Tom Lillie
Chief of Staff
Bureau of Safety and Environmental Enforcement
(202) 208-6286
thomas.lillie@bsee.gov

On Fri, Jun 9, 2017 at 11:58 AM, Gilbert, David /C <david.gilbert@exxonmobil.com> wrote:

Dear Mr. Lillie,

Thanks again for your reply and consideration.

In regards to your question regarding our meeting being open to the media or the public; typically we don't have speakers with the esteem of Dir. Angelle so this is uncharted waters for us... Our usual speakers are diving doctors or diving industry experts, last year we did have US Customs and Border Patrol Michael Hebert do a presentation for the Jones Act. Our meetings are definitely open to the public but usually attended only by diving industry stakeholders (Diving Contractors, O&G Operators, and Affiliates (such as Rental, Vessel, Doctors and Associations like ADCI)) We are by definition a Diving Safety Work Group.

We have never in the past had such an influential speaker as Director Angelle, so I would leave it up to your Bureau's discretion if it should be open to the media, I am not sure how that would really work, but I am not opposed to the idea.

In regards to content for Director Angelle to address; I would suggest something comparable to his talk on Wednesday at the OOC meeting. I am sure if he communicated the same message about personally working to Partner with the Operators and service (diving) companies, Making America Great Again by making the USA energy dominant (rather than just energy independent) The message he communicated of BSEE focusing on Personal Safety, Environment AND Production! That is a **BFD!** Scott has oil running through his veins like the rest of us, so he knows the importance the members of DSWG place is BSEE's direction for their future. The GoM O&G industry has been through a very tough time over the last 2-3 years, due in part to the previous Administration's policies and the regulations they've imposed- uncertainty about the future is a very heavy burden on us all. It was a breath of fresh air to hear Director Angelle speak at OOC, any similar message to our membership will be received with open arms. Thanks again in advance

Thanks,
David R. Gilbert

E: david.gilbert@exxonmobil.com
E2: dgilbert@teche.net
O: (832) 624-4414
C: (985) 372-1134

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Diving / Subsea Construction Advisor

22777 Springwood Village Parkway
Spring, TX 77389
EMHC-W4.3A.333

Have a Great SAFE Day !!

From: Lillie, Thomas [mailto:thomas.lillie@bsee.gov]
Sent: Friday, June 09, 2017 9:48 AM
To: Gilbert, David /C <david.gilbert@exxonmobil.com>
Cc: Office of the Director, BSEE <officeofthedirector@bsee.gov>; DGilbert (dgilbert@teche.net) <dgilbert@teche.net>; Eileen Angelico <eileen.angelico@bsee.gov>
Subject: Re: US GoM Diving Safety Work Group

Mr. Gilbert: Thank you for inviting Director Angelle to speak at your meeting. You have provided a good summary for us to work with. In addition, we would also like to know if the meeting is open to media or the public and if you have any suggestions on items he should plan to address if he is able to make it. We will keep this in mind as we develop a travel and speaking schedule. We will let you know when we make a decision. Feel free to contact me for an update if you have questions.

Regards, Tom

Tom Lillie
Chief of Staff
Bureau of Safety and Environmental Enforcement
(202) 208-6286
thomas.lillie@bsee.gov

On Fri, Jun 9, 2017 at 10:23 AM, Gilbert, David /C <david.gilbert@exxonmobil.com> wrote:

Mr. Lillie,

The US GoM Diving Safety Work Group has bi-monthly meetings, I have listed the dates and locations below.

We would love to have Mr. Angelle come and speak in Lafayette on Wednesday July 19th if he is available

The meetings typically last from 9am- 3pm with most speakers or presentations before lunch

We usually have between 90-100 attendees- all of which are either commercial diving contractors, offshore operators or support companies - you can see a list of our members [here](#)

We are planning to have the July meeting at the Petroleum Club so we can assure you the lunch will be good southern fare.

I realize Mr. Angelle's schedule is very busy but if Scott could come before lunch to speak around 11:00 and then he could join us for lunch if he has time would be great.

If the July 19th date doesn't work for you I have listed the September and November dates and locations as well

- Wednesday July 19th – Hosted by Aqueos at the Petroleum Club in Lafayette
- Wednesday Sept 20th – Hosted by Tetra/Epic at their offices in Spring, Tx
- Wednesday Nov. 15th - Hosted by Shell in New Orleans

Thanks again in advance, I certainly appreciate your consideration for Mr. Angelle to come and speak at DSWG!

Thanks,
David R. Gilbert

E: david.gilbert@exxonmobil.com
E2: dgilbert@teche.net
O: (832) 624-4414
C: (985) 372-1134

ExxonMobil USP - Construction Group
Diving / Subsea Construction Advisor

22777 Springwood Village Parkway
Spring, TX 77389
EMHC-W4.3A.333

Have a Great SAFE Day !!

From: thomas.lillie@bsee.gov [mailto:thomas.lillie@bsee.gov] **On Behalf Of** Office of the Director, BSEE
Sent: Friday, June 09, 2017 8:04 AM
To: Gilbert, David /C <david.gilbert@exxonmobil.com>
Subject: Re: US GoM Diving Safety Work Group

David: Thanks for the follow-up. Please work with the BSEE Chief of Staff, Tom Lillie, to arrange speaking events and meetings. His e-mail is thomas.lillie@bsee.gov. Thanks again for the feedback.

On Thu, Jun 8, 2017 at 10:10 AM, Gilbert, David /C <david.gilbert@exxonmobil.com> wrote:

Scott
It was a sincere pleasure to meet you yesterday at the OOC meeting and to hear you speak.
Having your fresh new perspective in Washington as Director of BSEE will be a positive change
A couple of the things you said that I really appreciated were your willingness to listen to and partner with the Operators
I really liked when you said BSEE should focus on Personal Safety, Environmental Safety AND PRODUCTION, it is a very positive message to hear
As I mentioned when I introduced myself, my ExxonMobil Office is in Houston but I live in Berwick, La. So I am familiar with the positive changes you have made in the La. O&G industry

I came to Louisiana in 1985 and began working my way through the ranks of dive tender, diver, saturation diver, supervisor and eventually project manager at several different dive companies
I work now at Exxon managing subsea and diving projects for US Production in Mobile Bay, GoM and the West Coast (Santa Barbara)
Diving Safety is my passion.

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E: david.gilbert@exxonmobil.com
E2: dgilbert@teche.net
O: (832) 624-4414
C: (985) 372-1134

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Diving / Subsea Construction Advisor

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EMHC-W4 3A 333

Have a Great SAFE Day !!

Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Sat Jun 24 2017 06:35:17 GMT-0600 (MDT)
To: "Gilbert, David /C" <david.gilbert@exxonmobil.com>
CC: "Lillie, Thomas" <thomas.lillie@bsee.gov>, "Scott A. Angelle - Bureau of Safety and Environmental Enforcement (offic eof the director@bsee.gov)" <offic eof the director@bsee.gov>, "DGilbert (dgilbert@teche.net)" <dgilbert@teche.net>, Eileen Angelico <eileen.angelico@bsee.gov>
Subject: Re: US GoM Diving Safety Work Group

Thanks David. Tom please review and advise

Sent from my iPhone

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From: Lillie, Thomas [<mailto:mailto:thomas.lillie@bsee.gov>]
Sent: Friday, June 09, 2017 9:48 AM

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To: Gi bert, David /C <david.gilbert@exxonmobil.com>
Cc: Office of the Director, BSEE <officeofthedirector@bsee.gov>; DGilbert (dgilbert@teche.net) <dgilbert@teche.net>; Eileen Angelico <eileen.angelico@bsee.gov>

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From: thomas.lillie@bsee.gov [mailto:thomas.lillie@bsee.gov] **On Behalf Of** Office of the Director, BSEE
Sent: Friday, June 09, 2017 8:04 AM
To: Gilbert, David /C <david.gilbert@exxonmobil.com>
Subject: Re: US GoM Diving Safety Work Group

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DOI-(BSSE)-19-0207-A-000011

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From: "Lillie, Thomas" <thomas.lillie@bsee.gov>
Sent: Sat Jun 24 2017 18:50:04 GMT-0600 (MDT)
To: "Gilbert, David /C" <david.gilbert@exxonmobil.com>
CC: "DGilbert (dgilbert@teche.net)" <dgilbert@teche.net>, Eileen Angelico <eileen.angelico@bsee.gov>, Scott Angelle <scott.angelle@bsee.gov>
Subject: Re: US GoM Diving Safety Work Group

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DOI-(BSSE)-19-0207-A-000012

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Subject: RE: US GoM Diving Safety Work Group

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Sent: Friday, June 09, 2017 11:14 AM
To: Gilbert, David /C <david.gilbert@exxonmobil.com>
Cc: DGilbert (dgilbert@teche.net) <dgilbert@teche.net>; Eileen Angelico <eileen.angelico@bsee.gov>
Subject: Re: US GoM Diving Safety Work Group

We have no preference for media at this type of event, but we appreciate having advance notice of any media presence to make sure Scott is aware that. Please keep that in mind. Thanks, Tom

Tom Lillie
Chief of Staff
Bureau of Safety and Environmental Enforcement
(202) 208-6286
thomas.lillie@bsee.gov

On Fri, Jun 9, 2017 at 11:58 AM, Gilbert, David /C <david.gilbert@exxonmobil.com> wrote:

Dear Mr. Lillie,

Thanks again for your reply and consideration.

In regards to your question regarding our meeting being open to the media or the public; typically we don't have speakers with the esteem of Dir. Angelico so this is uncharted waters for us... Our usual speakers are diving doctors or diving industry experts, last year we did have US Customs and Border Patrol Michael Hebert do a presentation for the Jones Act. Our meetings are definitely open to the public but usually attended only by diving industry stakeholders (Diving Contractors, O&G Operators, and Affiliates (such as Rental, Vessel, Doctors and Associations like ADCI)) We are by definition a Diving Safety Work Group.

We have never in the past had such an influential speaker as Director Angelico, so I would leave it up to your Bureau's discretion if it should be open to the media, I am not sure how that would really work, but I am not opposed to the idea.

In regards to content for Director Angelico to address; I would suggest something comparable to his talk on Wednesday at the OOC meeting. I am sure if he communicated the same message about personally working to Partner with the Operators and service (diving) companies, Making America Great Again by making the USA energy dominant (rather than just energy independent)

The message he communicated of BSEE focusing on Personal Safety, Environment AND Production! That is a **BFD!**

Scott has oil running through his veins like the rest of us, so he knows the importance the members of DSWG place is BSEE's direction for their future.

The GoM O&G industry has been through a very tough time over the last 2-3 years, due in part to the previous Administration's policies and the regulations they've imposed- uncertainty about the future is a very heavy burden on us all.

It was a breath of fresh air to hear Director Angelico speak at OOC, any similar message to our membership will be received with open arms. Thanks again in advance

Thanks,
David R. Gilbert

E: david.gilbert@exxonmobil.com
E2: dgilbert@teche.net
O: (832) 624-4414
C: (985) 372-1134

ExxonMobil USP - Construction Group
Diving / Subsea Construction Advisor

22777 Springwood Village Parkway
Spring, TX 77389
EMHC-W4.3A.333

Have a Great SAFE Day !!

From: Lillie, Thomas [mailto:thomas.lillie@bsee.gov]
Sent: Friday, June 09, 2017 9:48 AM
To: Gilbert, David /C <david.gilbert@exxonmobil.com>
Cc: Office of the Director, BSEE <officeofthedirector@bsee.gov>; DGi bert (dgilbert@teche.net) <dgilbert@teche.net>; Eileen Angelico <eileen.angelico@bsee.gov>
Subject: Re: US GoM Diving Safety Work Group

Mr. Gilbert: Thank you for inviting Director Angelle to speak at your meeting. You have provided a good summary for us to work with. In addition, we would also like to know if the meeting is open to media or the public and if you have any suggestions on items he should plan to address if he is able to make it. We will keep this in mind as we develop is travel and speaking schedule. We will let you know when we make a decision. Feel free to contact me for an update if you have questions.

Regards, Tom

Tom Lillie
Chief of Staff
Bureau of Safety and Environmental Enforcement
(202) 208-6286
thomas.lillie@bsee.gov

On Fri, Jun 9, 2017 at 10:23 AM, Gilbert, David /C <david.gilbert@exxonmobil.com> wrote:

Mr. Lillie,

The US GoM Diving Safety Work Group has bi-monthly meetings, I have listed the dates and locations below.

We would love to have Mr. Angelle come and speak in Lafayette on Wednesday July 19th if he is available

The meetings typically last from 9am- 3pm with most speakers or presentations before lunch

We usually have between 90-100 attendees- all of which are either commercial diving contractors, offshore operators or support companies - you can see a list of our members [here](#)

We are planning to have the July meeting at the Petroleum Club so we can assure you the lunch will be good southern fare.

I realize Mr. Angelle's schedule is very busy but if Scott could come before lunch to speak around 11:00 and then he could join us for lunch if he has time would be great.

If the July 19th date doesn't work for you I have listed the September and November dates and locations as well

- Wednesday July 19th – Hosted by Aqueos at the Petroleum Club in Lafayette
- Wednesday Sept 20th – Hosted by Tetra/Epic at their offices in Spring, Tx
- Wednesday Nov. 15th - Hosted by Shell in New Orleans

Thanks again in advance, I certainly appreciate your consideration for Mr. Angelle to come and speak at DSWG!

Thanks,
David R. Gilbert

E: david.gilbert@exxonmobil.com
E2: dgilbert@teche.net
O: (832) 624-4414
C: (985) 372-1134

ExxonMobil USP - Construction Group
Diving / Subsea Construction Advisor

22777 Springwood Village Parkway
Spring, TX 77389
EMHC-W4.3A.333

Have a Great SAFE Day !!

From: thomas.lillie@bsee.gov [mailto:thomas.lillie@bsee.gov] **On Behalf Of** Office of the Director, BSEE
Sent: Friday, June 09, 2017 8:04 AM
To: Gilbert, David /C <david.gilbert@exxonmobil.com>
Subject: Re: US GoM Diving Safety Work Group

David: Thanks for the follow-up. Please work with the BSEE Chief of Staff, Tom Lillie, to arrange speaking events and meetings. His e-mail is thomas.lillie@bsee.gov. Thanks again for the feedback.

On Thu, Jun 8, 2017 at 10:10 AM, Gilbert, David /C <david.gilbert@exxonmobil.com> wrote:

Scott

It was a sincere pleasure to meet you yesterday at the OOC meeting and to hear you speak.

Having your fresh new perspective in Washington as Director of BSEE will be a positive change

A couple of the things you said that I really appreciated were your willingness to listen to and partner with the Operators

I really liked when you said BSEE should focus on Personal Safety, Environmental Safety AND PRODUCTION, it is a very positive message to hear

As I mentioned when I introduced myself, my ExxonMobil Office is in Houston but I live in Berwick, La. So I am familiar with the positive changes you have made in the La. O&G industry

I came to Louisiana in 1985 and began working my way through the ranks of dive tender, diver, saturation diver, supervisor and eventually project manager at several different dive companies

I work now at Exxon managing subsea and diving projects for US Production in Mobile Bay, GoM and the West Coast (Santa Barbara) Diving Safety is my passion.

When I spoke with you I gave you one of the *US GoM Dive Safety Work Group* (DSWG) flyers, our vision statement says the following: *The US GoM Diving Safety Workgroup is a US GoM focused, non-competitive and non-commercial group of oil and gas operators, transmission companies, commercial diving companies, supporting sub-contractors, organizations and industry stakeholders. The group will provide a unified voice to promote and improve diving safety, through the following:*

- *Identification and sharing of best practices*
- *Identify and seek solutions to industry challenges and issues*
- *Review and comment of existing and proposed standards and guidelines*
- *Provide input to the regulators and industry associations*

Our website is <http://www.usgomdswg.com>

I would like to invite you to attend one of our meetings, it would really mean a lot to our membership to hear the message that you gave at the OOC meeting.

Our meetings are every second month and various locations

- Wednesday July 19th – Hosted by Aqueos at the Petroleum Club in Lafayette
- Wednesday Sept 20th – Hosted by Tetra/Epic at their offices in Spring, Tx
- Wednesday Nov. 15th - Hosted by Shell in New Orleans

Please let me know if you would be willing to attend and speak at one of our meetings, I am sincere when I say it would mean a lot to our [members](#).

Thanks in advance

Thanks,
David R. Gilbert

E: david.gilbert@exxonmobil.com
E2: dgilbert@teche.net
O: (832) 624-4414
C: (985) 372-1134

ExxonMobil USP - Construction Group
Diving / Subsea Construction Advisor

22777 Springwood Village Parkway
Spring, TX 77389
EMHC-W4 3A 333

Have a Great SAFE Day !!

Conversation Contents

Take Pride In America Program

Attachments:

/108. Take Pride In America Program/1.1 Take Pride in America Act Statute.docx

"Funes, Jason" <jason_funes@ios.doi.gov>

From: "Funes, Jason" <jason_funes@ios.doi.gov>
Sent: Tue Oct 10 2017 16:16:38 GMT-0600 (MDT)
To: Scott Angelle <scott.angelle@bsee.gov>, "Beard, Preston" <preston.beard@bsee.gov>
Subject: Take Pride In America Program
Attachments: Take Pride in America Act Statute.docx

Hey Scott,

Attached is the statute we will be exercising to put on the Interior Energy Summit.

I may be scheduling a meeting tomorrow with CFO and Solicitor's office at 2pm, but as soon as I have a date/time secured I'll send you an invite.

You're a rockstar, thanks for your feedback and time today!

Make American Energy Great Again,

Jason Funes
Special Assistant
Intergovernmental and External Affairs
Office of the Secretary
Department of the Interior
Office: (202) 208-5541

16 U.S.C.

United States Code, 2010 Edition

Title 16 - CONSERVATION

CHAPTER 66 - TAKE PRIDE IN AMERICA PROGRAM

Sec. 4601 - Establishment of Take Pride in America Program

From the U.S. Government Printing Office, www.gpo.gov

§4601. Establishment of Take Pride in America Program

(a) In general

There is hereby established the Take Pride in America Program within the Department of the Interior (hereinafter referred to as the “TPIA Program”).

(b) Purposes

The purposes of the TPIA Program shall include the following:

(1) To establish and maintain a public awareness campaign in cooperation with public and private organizations and individuals—

(A) to instill in the public the importance of the appropriate use of, and appreciation for Federal, State, and local lands, facilities, and natural and cultural resources;

(B) to encourage an attitude of stewardship and responsibility toward these lands, facilities, and resources; and

(C) to promote participation by individuals, organizations, and communities of a conservation ethic in caring for these lands, facilities, and resources.

(2) To conduct a national awards program to honor those individuals and entities which, in the opinion of the Secretary of the Interior (hereafter in this chapter referred to as the “Secretary”), have distinguished themselves in the activities described in paragraph (1) of this subsection.

(Pub. L. 101–628, title XI, §1102, Nov. 28, 1990, 104 Stat. 4502.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b)(2), was in the original “this Act”, and was translated as reading “this title”, meaning title XI of Pub. L. 101–628, Nov. 28, 1990, 104 Stat. 4502, known as the Take Pride in America Act, which is classified generally to this chapter, to reflect the probable intent of Congress.

SHORT TITLE

Section 1101 of title XI of Pub. L. 101–628 provided that: “This title [enacting this chapter] may be cited as the ‘Take Pride in America Act’.”

Conversation Contents

Fwd: Interior Energy Summit & Trump Rally - Invitation to edit

Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Tue Jan 02 2018 13:43:58 GMT-0700 (MST)
To: steve_wackowski@ios.doi.gov
Subject: Fwd: Interior Energy Summit & Trump Rally - Invitation to edit

Assume you saw PA and not LA

Sent from my iPhone

Begin forwarded message:

From: "Jason Funes (via Google Docs)" <drive-shares-noreply@google.com>
Date: January 2, 2018 at 1:05:27 PM CST
To: <scott.angelle@bsee.gov>
Cc: <joseph_balash@ios.doi.gov>, <katharine_macgregor@ios.doi.gov>, <preston.beard@bsee.gov>, <james.schindler@boem.gov>, <ldavis@osmre.gov>, <todd_willens@ios.doi.gov>, <james_cason@ios.doi.gov>, <stephen_wackowski@ios.doi.gov>
Subject: Interior Energy Summit & Trump Rally - Invitation to edit
Reply-To: Jason Funes <jason_funes@ios.doi.gov>

jason_funes@ios.doi.gov has invited you to **edit** the following document:

 [Interior Energy Summit & Trump Rally](#)



We are looking for comments on this tentative agenda by noon tomorrow. This event has gone to more of a campaign style Trump rally infused with an Energy Dominance agenda before POTUS speaks. We are planning on an agenda that will take 2.5hrs to 3hrs before POTUS speaks.

We will be working closely with the WH to determine the date, and the plan is to do this in Pittsburgh Pennsylvania in a 3K - 5K person venue.

I will be coming around to everyone today to give more of a background on the new ideas driving the changes to this event. Please feel free to make any changes desired to this Google Sheet.

Make American Energy Great Again 365 & 24/7
- Jason Funes

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Preston Beard <preston.beard@bsee.gov>

From: Preston Beard <preston.beard@bsee.gov>
Sent: Wed Jan 03 2018 05:30:13 GMT-0700 (MST)
To: Scott Angelle <scott.angelle@bsee.gov>
Subject: Re: Interior Energy Summit & Trump Rally - Invitation to edit

It's hard to login. I've tried before. Will get clarifying steps today.

Sent from my iPhone

On Jan 2, 2018, at 2:55 PM, Scott Angelle <scott.angelle@bsee.gov> wrote:

Can you provide instructions on how to gain access?

Sent from my iPhone

Begin forwarded message:

From: "Jason Funes (via Google Docs)" <drive-shares-noreply@google.com>
Date: January 2, 2018 at 1:05:27 PM CST
To: <scott.angelle@bsee.gov>
Cc: <joseph_balash@ios.doi.gov>, <katharine_macgregor@ios.doi.gov>, <preston.beard@bsee.gov>, <james.schindler@boem.gov>, <ldavis@osmre.gov>, <todd_willens@ios.doi.gov>, <james_cason@ios.doi.gov>, <stephen_wackowski@ios.doi.gov>
Subject: Interior Energy Summit & Trump Rally - Invitation to edit
Reply-To: Jason Funes <jason_funes@ios.doi.gov>

jason_funes@ios.doi.gov has invited you to **edit** the following document:

[Interior Energy Summit & Trump Rally](#)



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Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Wed Jan 03 2018 05:54:54 GMT-0700 (MST)
To: Preston Beard <preston.beard@bsee.gov>
Subject: Re: Interior Energy Summit & Trump Rally - Invitation to edit

No longer necessary Thanks

Sent from my iPhone

On Jan 3, 2018, at 6:30 AM, Preston Beard <preston.beard@bsee.gov> wrote:

It's hard to login. I've tried before. Will get clarifying steps today.

Sent from my iPhone

On Jan 2, 2018, at 2:55 PM, Scott Angelle <scott.angelle@bsee.gov> wrote:

Can you provide instructions on how to gain access?

Sent from my iPhone

Begin forwarded message:

From: "Jason Funes (via Google Docs)" <drive-shares-noreply@google.com>
Date: January 2, 2018 at 1:05:27 PM CST
To: <scott_angelle@bsee.gov>
Cc: <joseph_balash@ios.doi.gov>, <katharine_macgregor@ios.doi.gov>, <preston.beard@bsee.gov>, <james.schindler@boem.gov>, <ldavis@osmre.gov>, <todd_willens@ios.doi.gov>, <james_cason@ios.doi.gov>, <stephen_wackowski@ios.doi.gov>
Subject: Interior Energy Summit & Trump Rally - Invitation to edit
Reply-To: Jason Funes <jason_funes@ios.doi.gov>

jason_funes@ios.doi.gov has invited you to **edit** the following document:

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Conversation Contents

Interior Energy Summit & Trump Rally - Invitation to edit

"Jason Funes (via Google Docs)" <drive-shares-noreply@google.com>

From: "Jason Funes (via Google Docs)" <drive-shares-noreply@google.com>
Sent: Tue Jan 02 2018 12:05:27 GMT-0700 (MST)
To: <scott.angelle@bsee.gov>
CC: <joseph_balash@ios.doi.gov>, <katharine_macgregor@ios.doi.gov>, <preston.beard@bsee.gov>, <james.schindler@boem.gov>, <ldavis@osmre.gov>, <todd_willens@ios.doi.gov>, <james_cason@ios.doi.gov>, <stephen_wackowski@ios.doi.gov>
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"Funes, Jason" <jason_funes@ios.doi.gov>

From: "Funes, Jason" <jason_funes@ios.doi.gov>
Sent: Tue Jan 02 2018 16:19:19 GMT-0700 (MST)
To: Jason Funes <jason_funes@ios.doi.gov>
CC: Joseph Balash <joseph_balash@ios.doi.gov>, Katharine MacGregor <katharine_macgregor@ios.doi.gov>, Scott Angelle <scott.angelle@bsee.gov>, "Beard, Preston" <preston.beard@bsee.gov>, "Schindler, James" <james.schindler@boem.gov>, Landon Davis <ldavis@osmre.gov>, Todd Willens <todd_willens@ios.doi.gov>, James Cason <james_cason@ios.doi.gov>, Stephen Wackowski <stephen_wackowski@ios.doi.gov>, Vincent Devito <vincent_devito@ios.doi.gov>
Subject: Re: Interior Energy Summit & Trump Rally - Invitation to edit

Esteemed Staff,

Per advice from our Assistant Deputy Secretary's office, please disregard the previous email requesting feedback and commentary on the interior energy event.

I did not make enough consideration in the suggested changes made to the event, and I am becoming aware of some problematic issues that would arise. I will seek additional advice from our solicitor's office in order to remain complaint with all applicable laws and

statutes before moving forward.

Thank you,

Jason Funes
Special Assistant
Intergovernmental and External Affairs
Office of the Secretary
Department of the Interior
Office: (202) 208-5541

On Tue, Jan 2, 2018 at 2:05 PM, Jason Funes (via Google Docs) <drive-shares-noreply@google.com> wrote:

jason_funes@ios.doi.gov has invited you to [edit](#) the following document:

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Conversation Contents

Fwd: Interior Energy Summit & Trump Rally - Invitation to edit

Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Tue Jan 02 2018 12:55:06 GMT-0700 (MST)
To: Preston Beard <preston.beard@bsee.gov>
Subject: Fwd: Interior Energy Summit & Trump Rally - Invitation to edit

Can you provide instructions on how to gain access?

Sent from my iPhone

Begin forwarded message:

From: "Jason Funes (via Google Docs)" <drive-shares-noreply@google.com>
Date: January 2, 2018 at 1:05:27 PM CST
To: <scott.angelle@bsee.gov>
Cc: <joseph_balash@ios.doi.gov>, <katharine_macgregor@ios.doi.gov>, <preston.beard@bsee.gov>, <james.schindler@boem.gov>, <ldavis@osmre.gov>, <todd_willens@ios.doi.gov>, <james_cason@ios.doi.gov>, <stephen_wackowski@ios.doi.gov>
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- Jason Funes

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Conversation Contents

Fwd: BSEE Safety Improvement Initiatives

Attachments:

- /82. Fwd: BSEE Safety Improvement Initiatives/1.1 mime-attachment.html
- /82. Fwd: BSEE Safety Improvement Initiatives/1.2 BSEE Safety Improvement Initiatives for consideration 02-27-2018.docx
- /82. Fwd: BSEE Safety Improvement Initiatives/1.3 mime-attachment.html

Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Wed Feb 28 2018 09:17:32 GMT-0700 (MST)
To: Eileen Angelico <eileen.angelico@bsee.gov>
Subject: Fwd: BSEE Safety Improvement Initiatives
Attachments: mime-attachment.html BSEE Safety Improvement Initiatives for consideration 02-27-2018.docx mime-attachment.html

See below. Congratulations on a great idea. Let's exceed expectations and roll forward with a great document by cob tomorrow.

Sent from my iPhone

Begin forwarded message:

From: Joseph Balash <joseph_balash@ios.doi.gov>
Date: February 28, 2018 at 11:04:53 AM EST
To: scott.angelle@bsee.gov
Cc: william_dove@ios.doi.gov, katharine_macgregor@ios.doi.gov, ryan.underwood@bsee.gov
Subject: Fwd: BSEE Safety Improvement Initiatives

Scott:

Congratulations! The Secretary's office really likes the opportunity to highlight safety ahead of his appearance on the Hill. In fact, they would like to make it a central point to his remarks at CERA Week next Monday. As such, please prepare some bullet points for use in a speech that will be put together by the end of the week.

You can assume that the broader points will be covering our accomplishments to date —fulfilling promises made to reduce burdens and make more federal lands available for the purpose of achieving energy dominance.

Feel free to work through Ryan and get me bullets no later than COB Thursday (tomorrow).

Joe

Sent from my iPhone

Begin forwarded message:

From: Downey Magallanes <downey_magallanes@ios.doi.gov>
Date: February 27, 2018 at 9:19:48 AM CST
To: william_dove@ios.doi.gov, joseph_balash@ios.doi.gov
Subject: Fwd: BSEE Safety Improvement Initiatives

Sent from my iPhone

Begin forwarded message:

From: "Rigas, Laura" <laura_rigas@ios.doi.gov>
Date: February 27, 2018 at 10:11:34 AM EST
To: "Magallanes, Downey"
<downey_magallanes@ios.doi.gov>, Heather Swift
<Heather_Swift@ios.doi.gov>
Subject: Fwd: BSEE Safety Improvement Initiatives

Let's discuss when you have a sec. Thanks.

----- Forwarded message -----

From: **Angelico, Eileen** <eileen.angelico@bsee.gov>
Date: Tue, Feb 27, 2018 at 9:57 AM
Subject: BSEE Safety Improvement Initiatives
To: Laura Rigas <laura_rigas@ios.doi.gov>, Russell Newell
<russell_newell@ios.doi.gov>
Cc: Isabel Benemelis <isabel_benemelis@ios.doi.gov>, Gregory Julian <gregory.julian@bsee.gov>, Tiffany Gray <tiffany.gray@bsee.gov>

Laura,

Please find attached a listing of BSEE Safety Improvement Initiatives for your consideration.

I am available to discuss further at your convenience.

Thanks,

Eileen

Eileen P. Angelico, APR
Chief, Office of Public Affairs
Bureau of Safety and Environmental Enforcement
(202) 208-7746 office
(504) 654-7840 mobile

Conversation Contents

Fwd: BSEE Safety Improvement Initiatives

Attachments:

/83. Fwd: BSEE Safety Improvement Initiatives/1.1 mime-attachment.html
/83. Fwd: BSEE Safety Improvement Initiatives/1.2 BSEE Safety
Improvement Initiatives for consideration 02-27-2018.docx

Joseph Balash <joseph_balash@ios.doi.gov>

From: Joseph Balash <joseph_balash@ios.doi.gov>
Sent: Wed Feb 28 2018 09:04:53 GMT-0700 (MST)
To: scott.angelle@bsee.gov
CC: william_dove@ios.doi.gov, katharine_macgregor@ios.doi.gov, ryan.underwood@bsee.gov
Subject: Fwd: BSEE Safety Improvement Initiatives
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You can assume that the broader points will be covering our accomplishments to date—fulfilling promises made to reduce burdens and make more federal lands available for the purpose of achieving energy dominance.

Feel free to work through Ryan and get me bullets no later than COB Thursday (tomorrow).

Joe

Sent from my iPhone

Begin forwarded message:

From: Downey Magallanes <downey_magallanes@ios.doi.gov>
Date: February 27, 2018 at 9:19:48 AM CST
To: william_dove@ios.doi.gov, joseph_balash@ios.doi.gov
Subject: Fwd: BSEE Safety Improvement Initiatives

Sent from my iPhone

Begin forwarded message:

From: "Rigas, Laura" <laura_rigas@ios.doi.gov>
Date: February 27, 2018 at 10:11:34 AM EST
To: "Magallanes, Downey" <downey_magallanes@ios.doi.gov>, Heather Swift <Heather.Swift@ios.doi.gov>
Subject: Fwd: BSEE Safety Improvement Initiatives

Let's discuss when you have a sec. Thanks.

----- Forwarded message -----

From: **Angelico, Eileen** <eileen.angelico@bsee.gov>
Date: Tue, Feb 27, 2018 at 9:57 AM
Subject: BSEE Safety Improvement Initiatives
To: Laura Rigas <laura_rigas@ios.doi.gov>, Russell Newell <russell_newell@ios.doi.gov>
Cc: Isabel Benemelis <isabel_benemelis@ios.doi.gov>, Gregory Julian <gregory.julian@bsee.gov>, Tiffany Gray <tiffany.gray@bsee.gov>

Laura,

Please find attached a listing of BSEE Safety Improvement Initiatives for your consideration.

I am available to discuss further at your convenience.

Thanks,

Eileen

Eileen P. Angelico, APR
Chief, Office of Public Affairs
Bureau of Safety and Environmental Enforcement
(202) 208-7746 office
(504) 654-7840 mobile

Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Wed Feb 28 2018 09:16:23 GMT-0700 (MST)
To: Joseph Balash <joseph_balash@ios.doi.gov>
Subject: Re: BSEE Safety Improvement Initiatives

Great ! We are on it Thanks for the support

Sent from my iPhone

On Feb 28, 2018, at 11:04 AM, Joseph Balash <joseph_balash@ios.doi.gov> wrote:

Scott:

Congratulations! The Secretary's office really likes the opportunity to highlight safety ahead of his appearance on the Hill. In fact, they would like to make it a central point to his remarks at CERA Week next Monday. As such, please prepare some bullet points for use in a speech that will be put together by the end of the week.

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Eileen P. Angelico, APR
Chief, Office of Public Affairs

DOI-(BSSE)-19-0207-A-000032

Bureau of Safety and Environmental Enforcement
(202) 208-7746 office
(504) 654-7840 mobile

<mime-attachment.html>

<BSEE Safety Improvement Initiatives for consideration 02-27-2018.docx>

<mime-attachment.html>

Conversation Contents

Fwd: BSEE Safety Improvement Initiatives

Attachments:

- /81. Fwd: BSEE Safety Improvement Initiatives/1.1 mime-attachment.html
- /81. Fwd: BSEE Safety Improvement Initiatives/1.2 BSEE Safety Improvement Initiatives for consideration 02-27-2018.docx
- /81. Fwd: BSEE Safety Improvement Initiatives/1.3 mime-attachment.html

Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Wed Feb 28 2018 17:59:48 GMT-0700 (MST)
To: Eileen Angelico <eileen.angelico@bsee.gov>
Subject: Fwd: BSEE Safety Improvement Initiatives
Attachments: mime-attachment.html BSEE Safety Improvement Initiatives for consideration 02-27-2018.docx mime-attachment.html

Please confirm receipt.

Sent from my iPhone

Begin forwarded message:

From: Joseph Balash <joseph_balash@ios.doi.gov>
Date: February 28, 2018 at 11:04:53 AM EST
To: scott.angelle@bsee.gov
Cc: william_dove@ios.doi.gov, katharine_macgregor@ios.doi.gov, ryan.underwood@bsee.gov
Subject: Fwd: BSEE Safety Improvement Initiatives

Scott:

Congratulations! The Secretary's office really likes the opportunity to highlight safety ahead of his appearance on the Hill. In fact, they would like to make it a central point to his remarks at CERA Week next Monday. As such, please prepare some bullet points for use in a speech that will be put together by the end of the week.

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Sent from my iPhone

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Subject: Fwd: BSEE Safety Improvement Initiatives

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Eileen P. Angelico, APR
Chief, Office of Public Affairs
Bureau of Safety and Environmental Enforcement
(202) 208-7746 office
(504) 654-7840 mobile

Eileen Angelico <eileen.angelico@bsee.gov>

From: Eileen Angelico <eileen.angelico@bsee.gov>
Sent: Wed Feb 28 2018 18:19:12 GMT-0700 (MST)
To: Scott Angelle <scott.angelle@bsee.gov>

Subject: Re: BSEE Safety Improvement Initiatives

Received, thanks for forwarding!

Sent from my iPhone

On Feb 28, 2018, at 6:59 PM, Scott Angelle <scott.angelle@bsee.gov> wrote:

Please confirm receipt.

Sent from my iPhone

Begin forwarded message:

From: Joseph Balash <joseph_balash@ios.doi.gov>

Date: February 28, 2018 at 11:04:53 AM EST

To: scott.angelle@bsee.gov

Cc: william_dove@ios.doi.gov, katharine_macgregor@ios.doi.gov, ryan.underwood@bsee.gov

Subject: Fwd: BSEE Safety Improvement Initiatives

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DOI-(BSSE)-19-0207-A-000036

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<mime-attachment.html>

<BSEE Safety Improvement Initiatives for consideration 02-27-2018.docx>

<mime-attachment.html>

<mime-attachment.html>

BSEE launches first ever risk based inspection program using real time trend data to achieve safety improvements.

- Under the former Administration, BSEE had a start and stop and ultimately aborted risk based program; criticized by two external oversight organizations for not being able to get it across the finish line.
- This month, 40 facilities will undergo a risk based inspection within a two day period. This follows a very successful pilot program by this administration and our new risk based inspection program will serve to augment our current prescriptive based inspection program and will combine to improve safety on the OCS.
- Risk-based inspections allow BSEE Engineers and Inspectors to act quickly on current trends in offshore operations and demanding improved safety performance to the offshore operators' attention opportunities for safety improvement.

Effective April 1, BSEE drastically increases physical inspection time on offshore oil and gas facilities while achieving cost-savings for the taxpayers and reducing safety risks to inspectors.

- BSEE drastically increases the time of offshore physical inspections and gains a cost- savings of contracted helicopter services of \$20 million over four years through revamping of workforce schedules and embracing technology to access records resulting in a safer Outer Continental Shelf achieved in a smarter and less expensive way.

BSEE re-invigorates critical safety reporting system through engagement with industry.

- BSEE inherited a Safe Outer Continental Shelf (SafeOCS) Voluntary reporting program from the last Administration that had 3% participation from industry.
- In the first year under new leadership, participation more than doubled to 8% of all offshore operators. It should be noted these participating operators are responsible for 63% of the oil production from the Outer Continental Shelf.
- BSEE has developed a comprehensive strategy to engage industry leadership with a goal of substantially increasing participation by the end of 2018.

BSEE identifies every critical offshore component subject to Best Available Safe Technology (BAST) regulations.

- BSEE is implementing a system to have critical safety components, subject to BAST definition, identified, audited and published annually with a concurrent review of regulations for compliance with BAST goals.
- Hereto before, the previous Administration has not identified, audited or published therefore creating uncertainty of compliance with BAST goals.

BSEE puts in place infrastructure to continuously identify gaps between advancing technology and regulations.

- In the aftermath of the *Deepwater Horizon* incident, the National Commission determined that gaps existed between risk of Outer Continental Shelf (OCS) production and exploration activities and the regulations to mitigate those risks.
- The previous administration failed to stand up an infrastructure whose focus would be to continuously identify the risk of changing OCS activity so as to make certain existing regulations, inspections, and procedures would remain current with said risk. This Administration is changing that!
- Having this allows BSEE to align regulations with new technology.

For the first time ever, BSEE seeks to obtain third-party certification of its inspection program from the world's most distinguished standards organization, the International Standards Organization (ISO)

- BSEE is in the early stations of planning. Hopefully signing contract by summer of 2018 to chart a path forward on obtaining the certification.

Conversation Contents

Fwd: FOIA Request BSEE-2018-00275

Attachments:

/33. Fwd: FOIA Request BSEE-2018-00275/1.1 BSEE-2018-00275.pdf
/33. Fwd: FOIA Request BSEE-2018-00275/1.2 Tracker BSEE-2018-00275 - Director Angelle.pdf

Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Tue Sep 04 2018 09:53:03 GMT-0600 (MDT)
To: Preston Beard <preston.beard@bsee.gov>
Subject: Fwd: FOIA Request BSEE-2018-00275
Attachments: BSEE-2018-00275.pdf Tracker BSEE-2018-00275 - Director Angelle.pdf

Sent from my iPhone

Begin forwarded message:

From: "Tinker, Dorothy" <dorothy.tinker@bsee.gov>
Date: September 4, 2018 at 8:13:51 AM CDT
To: Scott Angelle <scott.angelle@bsee.gov>
Subject: FOIA Request BSEE-2018-00275

Good Morning Director Angelle,

Please find attached FOIA Request BSEE-2018-00275 for your action. Please review the attached request and submit responsive documents by COB September 12, 2018.

The requester is seeking the following:

All communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, WhatsApp, Signal, or Twitter Direct Messages), telephone call logs, calendar invitations/entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) between or among (1) Scott Angelle and/or Preston Beard and (2) any of the following individuals and entities:

1. Copestone Inc.
2. Sunoco Logistics Partners
3. Energy Transfer
4. Greg Brazaitis
5. Edison Chouest Offshore
6. Gary Chouest
7. Ross Chouest
8. Damon Chouest
9. Casey Chouest
10. Dionne Austin
11. Daryl Owen Associates, Inc
12. C-Dive, LLC
13. Robert Champagne

14. Atmos Energy
15. Jack Lawton Inc
16. Jack Lawton
17. Holly Lawton
18. Chevron Corp.
19. Cleco Corp.
20. Darren Olagues
21. Haynie & Associates
22. Randy Haynie
23. Love for Louisiana PAC
24. Bill Skelly
25. James Flores
26. Freeport-McMoran Inc.
27. Sable Permian Resources
28. Hilcorp Energy Company
29. Corley Consulting
30. Fieldwood Energy LLC
31. Make Louisiana Great Again
32. Greg Mosing
33. Frank's International
34. Shane Guidry
35. Harvey Gulf International Marine
36. Benjamin Bordelon
37. Bollinger Shipyards
38. William Parkerson Mills
39. Cleco Political Action Committee
40. Ezell Law Firm, LLC
41. Apollo Energy Operating Company
42. Macro Oil
43. Louisiana Mid-Continent Oil and Gas Association

Please provide all responsive records from May 1, 2017, to the date the search is conducted.

Very Respectfully,

Dottie Tinker
BSEE FOIA Officer (Acting)
Bureau of Safety and Environmental Enforcement (BSEE)
Mail Stop: VAE-BSEE FOIA
45600 Woodland Road
Sterling, Virginia 20166
(703) 787-1404 (Office)
(703) 787-1207 (Fax)

Under the Federal Records Act, government employees are prohibited from using non-official email accounts for official business unless they either carbon copy the messages sent via non-official email accounts to their official email account or forward such messages to their official email account within 20 days. If you have responsive records located on a non-official email account that have not already been carbon copied or forwarded to your official email account, you must 1) forward them to your official email account if you are within the 20 day window and provide them to the FOIA Office as part of your search response or 2) provide them to the FOIA Office from your non-official email account as part of your search response.

Warning: This Email may contain Privacy Act Data/Sensitive Data which is intended only for the use of the individual(s) to whom it is addressed. It may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable laws.

"Beard, Preston" <preston.beard@bsee.gov>

From: "Beard, Preston" <preston.beard@bsee.gov>
Sent: Tue Sep 04 2018 09:55:09 GMT-0600 (MDT)
To: Scott Angelle <scott.angelle@bsee.gov>
Subject: Re: FOIA Request BSEE-2018-00275

Already working on it.

On Tue, Sep 4, 2018 at 11:53 AM, Scott Angelle <scott.angelle@bsee.gov> wrote:

Sent from my iPhone

Begin forwarded message:

From: "Tinker, Dorothy" <dorothy.tinker@bsee.gov>
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16. Jack Lawton
17. Holly Lawton
18. Chevron Corp.
19. Cleco Corp.
20. Darren Olagues
21. Haynie & Associates
22. Randy Haynie
23. Love for Louisiana PAC
24. Bill Skelly
25. James Flores
26. Freeport-McMoran Inc.
27. Sable Permian Resources
28. Hilcorp Energy Company
29. Corley Consulting
30. Fieldwood Energy LLC
31. Make Louisiana Great Again
32. Greg Mosing
33. Frank's International
34. Shane Guidry
35. Harvey Gulf International Marine
36. Benjamin Bordelon
37. Bollinger Shipyards
38. William Parkerson Mills
39. Cleco Political Action Committee
40. Ezell Law Firm, LLC

- 41. Apollo Energy Operating Company**
- 42. Macro Oil**
- 43. Louisiana Mid-Continent Oil and Gas Association**

Please provide all responsive records from May 1, 2017, to the date the search is conducted.

Very Respectfully,

Dottie Tinker
BSEE FOIA Officer (Acting)
Bureau of Safety and Environmental Enforcement (BSEE)
Mail Stop: VAE-BSEE FOIA
45600 Woodland Road
Sterling, Virginia 20166
(703) 787-1404 (Office)
(703) 787-1207 (Fax)

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--
Preston Beard
Advisor, Office of the Director
Bureau of Safety and Environmental Enforcement
(202) 208-3976 (o)
(571) 585-7001 (c)
preston.beard@bsee.gov

Conversation Contents

FOIA Request BSEE-2018-00275

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Sent: Tue Sep 04 2018 07:13:51 GMT-0600 (MDT)
To: Scott Angelle <scott.angelle@bsee.gov>
Subject: FOIA Request BSEE-2018-00275
Attachments: BSEE-2018-00275.pdf Tracker BSEE-2018-00275 - Director Angelle.pdf

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14. Atmos Energy
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24. Bill Skelly
25. James Flores
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August 29, 2018

VIA EMAIL

BSEE FOIA Officer
Bureau of Safety and Environmental
Enforcement
Mail Stop: VAE-BSEE FOIA
45600 Woodland Road
Sterling, VA 20166
Email: bseefoia@bsee.gov

Re: Freedom of Information Act Request

Dear Freedom of Information Act Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 *et seq.* and the Department of the Interior's (DOI) implementing regulations, 43 C.F.R. Part 2, American Oversight makes the following request for records from the Bureau of Safety and Environmental Enforcement (BSEE).

In May 2017, Scott Angelle joined DOI as the director of the BSEE. The following month, his former campaign aide, Preston Beard, joined BSEE as an adviser. According to the Western Values Project, Angelle "raised nearly \$500,000 in donations from oil and gas companies" and "made 'about \$1.5 million' since 2012 as a board member of oil and gas pipeline company Sunoco Logistics Partners."¹ Beard has also worked in the oil and gas industry, including for the Louisiana Mid-Continent Oil and Gas Association and for Copestone, from which Angelle has also reported income.²

Angelle and Beard are now charged with ensuring safety and environmental resources in offshore energy development. It is therefore of great public interest to know to what extent they have been in contact with former campaign donors, employers, and other former contacts representing the energy industry while serving the U.S. government.

¹ Scott Angelle, WESTERN VALUES PROJECT, <https://departmentofinfluence.org/person/scott-angelle/>; Tyler Bridges, *Scott Angelle's Close Ties to Oil Helps His Campaign for Governor*, THE ADVOCATE (Oct. 21, 2015, 3:59 p.m.), https://www.theadvocate.com/baton_rouge/news/politics/elections/article_ff8d2e03-0553-59d8-bced-a63917536131.html.

² Preston Beard, WESTERN VALUES PROJECT, <https://departmentofinfluence.org/person/preston-beard/>.

Requested Records

American Oversight requests that BSEE produce the following within twenty business days:

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25. James Flores
26. Freeport-McMoran Inc.
27. Sable Permian Resources
28. Hilcorp Energy Company
29. Corley Consulting
30. Fieldwood Energy LLC
31. Make Louisiana Great Again
32. Greg Mosing
33. Frank's International
34. Shane Guidry

35. Harvey Gulf International Marine
36. Benjamin Bordelon
37. Bollinger Shipyards
38. William Parkerson Mills
39. Cleco Political Action Committee
40. Ezell Law Firm, LLC
41. Apollo Energy Operating Company
42. Macro Oil
43. Louisiana Mid-Continent Oil and Gas Association

Please provide all responsive records from May 1, 2017, to the date the search is conducted.

In addition to the records requested above, American Oversight also requests records describing the processing of this request, including records sufficient to identify search terms used and locations and custodians searched and any tracking sheets used to track the processing of this request. If your agency uses FOIA questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted searches, we also request any such records prepared in connection with the processing of this request.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

Please search all records regarding agency business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Records of official business conducted using unofficial systems or stored outside of official files are subject to the Federal Records Act and FOIA.³ **It is not adequate to rely on policies and procedures that require officials to move such information to official systems within a certain period of time; American Oversight has a right to records contained in those files even if material has not yet been moved to official systems or if officials have, through negligence or willfulness, failed to meet their obligations.**⁴

³ See *Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, 827 F.3d 145, 149-50 (D.C. Cir. 2016); cf. *Judicial Watch, Inc. v. Kerry*, 844 F.3d 952, 955-56 (D.C. Cir. 2016).

⁴ See *Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, No. 14-cv-765, slip op. at 8 (D.D.C. Dec. 12, 2016) (“The Government argues that because the agency had a policy requiring [the official] to forward all of his emails from his [personal] account to his business email, the [personal] account only contains duplicate agency records at best. Therefore, the Government claims that any hypothetical deletion of the [personal account] emails would still leave a copy of

In addition, please note that in conducting a “reasonable search” as required by law, you must employ the most up-to-date technologies and tools available, in addition to searches by individual custodians likely to have responsive information. Recent technology may have rendered your agency’s prior FOIA practices unreasonable. **In light of the government-wide requirements to manage information electronically by the end of 2016, it is no longer reasonable to rely exclusively on custodian-driven searches.⁵ Furthermore, agencies that have adopted the National Archives and Records Administration (NARA) Capstone program, or similar policies, now maintain emails in a form that is reasonably likely to be more complete than individual custodians’ files.** For example, a custodian may have deleted a responsive email from his or her email program, but your agency’s archiving tools would capture that email under Capstone. Accordingly, American Oversight insists that your agency use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; agencies may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

Under the FOIA Improvement Act of 2016, agencies must adopt a presumption of disclosure, withholding information “only if . . . disclosure would harm an interest protected by an exemption” or “disclosure is prohibited by law.”⁶ If it is your position that any portion of the requested records is exempt from disclosure, American Oversight requests that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). As you are aware, a *Vaughn* index must describe each document claimed as exempt with sufficient specificity “to permit a reasoned judgment as to whether the material is actually exempt under FOIA.”⁷ Moreover, the *Vaughn* index “must describe *each* document or portion thereof withheld, and for *each* withholding it must discuss the consequences of disclosing the sought-after information.”⁸ Further, “the withholding agency must supply ‘a relatively detailed justification, specifically identifying the reasons why a particular exemption is relevant and correlating those claims with the particular part of a withheld document to which they apply.’”⁹

those records intact in [the official’s] work email. However, policies are rarely followed to perfection by anyone. At this stage of the case, the Court cannot assume that each and every work related email in the [personal] account was duplicated in [the official’s] work email account.” (citations omitted)).

⁵ Presidential Memorandum—Managing Government Records, 76 Fed. Reg. 75,423 (Nov. 28, 2011), <https://obamawhitehouse.archives.gov/the-press-office/2011/11/28/presidential-memorandum-managing-government-records>; Office of Mgmt. & Budget, Exec. Office of the President, Memorandum for the Heads of Executive Departments & Independent Agencies, “Managing Government Records Directive,” M-12-18 (Aug. 24, 2012), <https://www.archives.gov/files/records-mgmt/m-12-18.pdf>.

⁶ FOIA Improvement Act of 2016 § 2 (Pub. L. No. 114-185).

⁷ *Founding Church of Scientology v. Bell*, 603 F.2d 945, 949 (D.C. Cir. 1979).

⁸ *King v. U.S. Dep’t of Justice*, 830 F.2d 210, 223-24 (D.C. Cir. 1987) (emphasis in original).

⁹ *Id.* at 224 (citing *Mead Data Central, Inc. v. U.S. Dep’t of the Air Force*, 566 F.2d 242, 251 (D.C. Cir. 1977)).

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document.¹⁰ Claims of nonsegregability must be made with the same degree of detail as required for claims of exemptions in a *Vaughn* index. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

You should institute a preservation hold on information responsive to this request. American Oversight intends to pursue all legal avenues to enforce its right of access under FOIA, including litigation if necessary. Accordingly, you are on notice that litigation is reasonably foreseeable.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, American Oversight welcomes an opportunity to discuss its request with you before it undertakes a search or incurs search or duplication costs. By working together at the outset, we can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 43 CFR § 2.45(a), American Oversight requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to public understanding of those operations in a significant way.¹¹ Moreover, the request is primarily and fundamentally for non-commercial purposes.¹²

American Oversight requests a waiver of fees because disclosure of the requested information is “in the public interest because it is likely to contribute significantly to public understanding” of the operations or activities of the federal government.¹³ The disclosure of the information sought under this request will reveal the operations of the federal government, including what outside interests may be influencing the official work of Mr. Angelle and Mr. Beard. The disclosure of this information also has the potential to shed light on potential ethical problems that may have arisen as a result of contacts with external individuals and entities. And, as described in more detail

¹⁰ *Mead Data Central*, 566 F.2d at 261.

¹¹ 43 CFR § 2.45(a)(1).

¹² 43 CFR § 2.45(a)(2).

¹³ 43 C.F.R. § 2.48(a)(1)-(4).

below, American Oversight “will disseminate the information to a reasonably broad audience of persons” through its social media accounts and its website.¹⁴

This request is primarily and fundamentally not for commercial purposes, but rather the primary interest is in public disclosure of responsive records. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. American Oversight’s mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.¹⁵ American Oversight has demonstrated its commitment to the public disclosure of documents and creation of editorial content. For example, after receiving records regarding an ethics waiver received by a senior DOJ attorney,¹⁶ American Oversight promptly posted the records to its website and published an analysis of what the records reflected about DOJ’s process for ethics waivers.¹⁷ As another example, American Oversight has a project called “Audit the Wall,” where the organization is gathering and analyzing information and commenting on public releases of information related to the administration’s proposed construction of a barrier along the U.S.-Mexico border.¹⁸

Accordingly, American Oversight qualifies for a fee waiver.

¹⁴ 43 C.F.R. § 2.48(a)(2)(iii)-(v).

¹⁵ American Oversight currently has approximately 11,900 page likes on Facebook and 44,700 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Aug. 28, 2018); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Aug. 28, 2018).

¹⁶ *DOJ Civil Division Response Noel Francisco Compliance*, AMERICAN OVERSIGHT, <https://www.americanoversight.org/document/doj-civil-division-response-noel-francisco-compliance>.

¹⁷ *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, AMERICAN OVERSIGHT, <https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents>.

¹⁸ *Audit the Wall*, AMERICAN OVERSIGHT, <https://www.americanoversight.org/investigation/audit-the-wall>.

Conclusion

We share a common mission to promote transparency in government. American Oversight looks forward to working with BSEE on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Hart Wood at foia@americanoversight.org or (202) 897-3918. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,



Austin R. Evers
Executive Director
American Oversight

BSEE FOIA OFFICE

Freedom of Information Act (FOIA) Search Tracking Sheet

DATE: September 4, 2018

To: Director Scott Angelle

FOIA Request Number: BSEE-2018-00275

Contact for Questions: Dottie- (703) 787-1404

Please return your response to: dorothy.tinker@bsee.gov

Due Date: September 12, 2018

Requester's Name: Austin Evers, American Oversight

SUBJECT OF REQUEST: All communications (including emails, email attachments, text messages, (Request Attached) messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, WhatsApp, Signal, or Twitter Direct Messages), telephone call

SEARCH KEY WORDS:

Use only these terms

Use these suggested terms as well as other relevant terms

TIME FRAME FOR RESPONSIVE RECORDS: May 1, 2017 to Present

GUIDANCE FROM FOIA OFFICE:

- Search your emails, electronic, and hard copy files for responsive documents using the key words and time frame listed above. If your records (electronic or hard copy) have attachments, please ensure they are provided.
- If you need additional clarification, please let us know immediately.
- Refer to the FOIA request number above in all communications concerning this request.
- Please let us know if you believe we should contact other BSEE office(s), DOI office(s), or other agencies should be involved in processing this request.
- Provide any release/denial/exemption recommendations in your response. You are the subject-matter expert (SME) and we appreciate you notifying us of your recommendations for each document or type of document when you initially send the responsive documents.
- Provide copies (never originals) of all responsive records in hard copy or electronic format.

TIME LIMITS:

We have a statutory duty to respond to this request on or before _____. We therefore need you to provide us with responsive records by September 12, 2018.

RESULTS OF SEARCH/REVIEW:

- Total # of responsive documents located (paper & electronic):** _____ documents & _____ pages.
- Total amount of time spent searching for responsive documents:** _____ & **amount of time spent reviewing responsive records** _____.
- Description of reasonable search.** Please confirm that a search reasonably calculated to find the requested records was conducted. Please state below what records systems were searched, and how the search was conducted. Include type of records systems searched (e.g., paper files, database, email) and the key words used.

COMMENTS:

Certification of Manager or SME Responsible for Overseeing or Conducting the Search

I certify that all appropriate records systems have been searched and copies of all responsive records have been provided to the BSEE FOIA Office along with any disclosure recommendations we wish to provide.

Signature

Title

Date

Phone Number

CONVERSATION CONTENTS

Fwd: Re:

Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Fri Nov 02 2018 00:16:42 GMT-0600 (MDT)
To: Kevin.Karl@bsee.gov, Richie.Baud@bsee.gov
Subject: Fwd: Re:

Sent from my iPhone

Begin forwarded message:

From: "de la Vega, Scott" <scott.delavega@sol.doi.gov>
Date: November 1, 2018 at 8:23:09 PM CDT
To: Scott Angelle <scott.angelle@bsee.gov>
Subject: Re:

(b) (5)

Scott

On Tue, Oct 30, 2018 at 9:33 PM Scott Angelle <scott.angelle@bsee.gov> wrote:

(b) (5)

Sent from my iPhone

> On Oct 14, 2018, at 9:53 AM, Scott de la Vega <scott.delavega@sol.doi.gov> wrote:

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>> (b) (5)



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>> Sent from my iPhone

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Scott A. de la Vega
Director, Departmental Ethics Office
& Designated Agency Ethics Official
U.S. Department of the Interior
(O) (202) 208-3038
(C) (202) 740-0359
scott.delavega@sol.doi.gov
Visit us online at: www.doi.gov/ethics

Public service is a public trust.

CONVERSATION CONTENTS

null

Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Sun Oct 14 2018 02:47:41 GMT-0600 (MDT)
To: scott.delavega@sol.doi.gov
Subject:

(b) (5)



Scott de la Vega <scott.delavega@sol.doi.gov>

From: Scott de la Vega <scott.delavega@sol.doi.gov>
Sent: Sun Oct 14 2018 08:53:06 GMT-0600 (MDT)
To: Scott Angelle <scott.angelle@bsee.gov>
Subject: Re:

(b) (5)



Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Sun Oct 14 2018 09:02:08 GMT-0600 (MDT)
To: Scott de la Vega <scott.delavega@sol.doi.gov>
Subject: Re:

Thanks. Sent from my iPhone > On Oct 14, 2018, at 10:53 AM, Scott de la Vega <scott.delavega@sol.doi.gov> wrote: > > (b) (5)



(b) (5)



Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Tue Oct 30 2018 19:33:37 GMT-0600 (MDT)
To: Scott de la Vega <scott.delavega@sol.doi.gov>
Subject: Re:

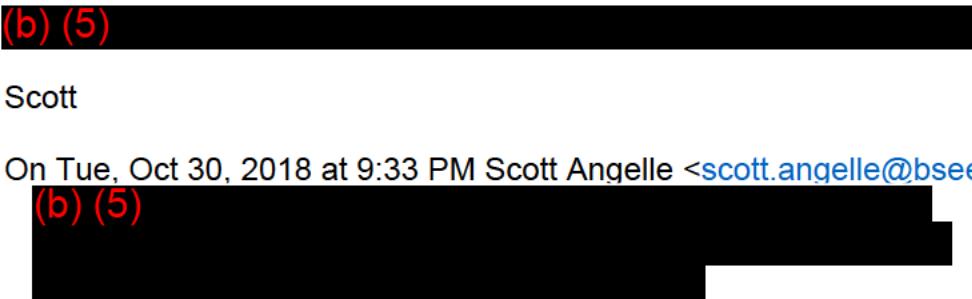
(b) (5)



"de la Vega, Scott" <scott.delavega@sol.doi.gov>

From: "de la Vega, Scott" <scott.delavega@sol.doi.gov>
Sent: Thu Nov 01 2018 19:23:09 GMT-0600 (MDT)
To: Scott Angelle <scott.angelle@bsee.gov>
Subject: Re:

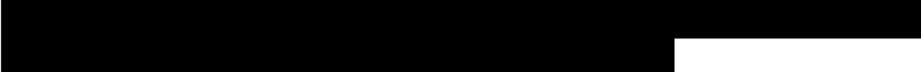
(b) (5)



Scott

On Tue, Oct 30, 2018 at 9:33 PM Scott Angelle <scott.angelle@bsee.gov> wrote:

(b) (5)



Sent from my iPhone

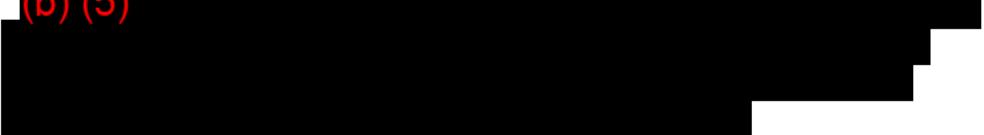
> On Oct 14, 2018, at 9:53 AM, Scott de la Vega <scott.delavega@sol.doi.gov> wrote:

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> (b) (5)



(b) (5)



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> Sent from my iPhone
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>> On Oct 14, 2018, at 4:47 AM, Scott Angelle <scott.angelle@bsee.gov> wrote:
>>
>>(b) (5)



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Scott A. de la Vega
Director, Departmental Ethics Office
& Designated Agency Ethics Official
U.S. Department of the Interior
(O) (202) 208-3038
(C) (202) 740-0359
scott.delavega@sol.doi.gov
Visit us online at: www.doi.gov/ethics

Public service is a public trust.

Scott Angelle <scott.angelle@bsee.gov>

From: Scott Angelle <scott.angelle@bsee.gov>
Sent: Fri Nov 02 2018 00:24:28 GMT-0600 (MDT)
To: "de la Vega, Scott" <scott.delavega@sol.doi.gov>
Subject: Re:

Thanks

Sent from my iPhone

On Nov 1, 2018, at 8:23 PM, de la Vega, Scott <scott.delavega@sol.doi.gov> wrote:

(b) (5)



Scott

On Tue, Oct 30, 2018 at 9:33 PM Scott Angelle <scott.angelle@bsee.gov> wrote:

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Sent from my iPhone

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>(b) (5)

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> Sent from my iPhone

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>> On Oct 14, 2018, at 4:47 AM, Scott Angelle <scott.angelle@bsee.gov> wrote:

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>>(b) (5)

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>> Sent from my iPhone

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Scott A. de la Vega
Director, Departmental Ethics Office
& Designated Agency Ethics Official
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